

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA
CIVIL MINUTES - JURY TRIAL DAY 1

Phoenix Division

MDL 15-2641-PHX-DGC

DATE: 9/18/2018

Year Case No Initials

Title: IN RE: Bard IVC Filters Products Liability Litigation

HON: DAVID G. CAMPBELL

Traci C. Abraham

Deputy Clerk

Patricia Lyons/Jennifer Pancratz

Court Reporter

APPEARANCES:

Ramon Lopez, Mark O'Connor, Julia Reed-Zaic, David Wenner, John Campbell,
Paul Stoller, Joshua Mankoff, Laura Smith, Stuart and Marlene Goldenberg

Attorney(s) for Plaintiff(s)

Richard North, James Condo, Elizabeth Helm, James Rogers, Matthew
Lerner, Greg Dadika, Mark Gerard and Mark Linder

Attorney(s) for Defendant(s)

PROCEEDINGS: X Jury Trial X Voir Dire/JURY SWORN

3rd Bellwether Trial- Plaintiffs Lisa and Mark Hyde - Present

8:31 Court is in session. Parties are present. Excusal of jurors 64,103,105 discussed. Juror 68 will be asked additional questions before excusal. Plaintiff request jurors 6, 16, 44 be asked follow up in private. Defendant request juror 59 follow up in private. Parties have no objections to proposed voir dire and preliminary jury instructions. Objections to opening statements and use of slides discussed. Matter will be discussed further after jury selection. 8:55 Court in recess.

9:19 Court is in session. Parties are present. Jury panel of 49 present. Jury sworn and voir dire begins. 10:29 Court in recess.

10:45 Court is in session. Parties are present. Jury panel of 49 present and voir dire continues. Juror 68 excused. Jurors excused for hardship: 2,5,21,28,51,62,70,106. Plaintiff challenges for cause: 16,20,50,52,59,44, all granted. Defendant challenge for cause: 25, granted. 11:40 Court in recess.

12:04 Court is in recess. Parties are present. Jury panel of 48 present. Sidebar: Plaintiff Batson challenge as to jurors 4 and 31. Denied. 12:14 9 chosen jurors called forward and seated. Remaining panel excused. Jury is sworn. 12:16 Jury is excused until 1:30 for lunch. 12:17 Objections to opening statements and slides discussed. 12:29 Court is in recess.

1:30 Court is in session. Parties are present. Jury is present. Preliminary

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jury instructions read. Stipulations of the parties read. 1:56 Plaintiff's opening statement. 3:00 Court is in recess.

3:15 Court is in session. Parties are present. Jury is present. 3:16 Defendant's opening statement. 4:26 Jury excused until 9:00 a.m. on 9/19/2018. Counsel to be present at 8:30 a.m. on 9/19/2018.

4:29 Court in recess.

Jury trial continues on 9/19/2018 at 8:30 a.m.